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Sent: Monday, November 14, 2005 2:30 PM
To: ATR-Real Estate Workshop
Cc: FTCDOJworkshop@realtors.org
Subject: Competition in real estate

Hi,

With over 6 years experience as a REALTOR in Texas, and an MBA degree, I believe you'll agree that I can speak knowledgeably about the real estate industry.

This is one of the most competitive businesses in our country these days. For example, in my local market area, there are well over 5,000 agents and yet the annual average number of transactions per month is less than 2,000. So most months, most agents make no income. As a result, agents are forced to compete aggressively, and even then, most don't survive the first year in this business. The competition among brokerages is similarly competitive.

The MLS is not publicly funded or organized. It is a private cooperative paid for by its members. The database belongs to those who built it and who provide timely and accurate data into it on a daily basis. The MLS is based upon agents sharing data that they spent a lot of time and money to acquire. It also involves certain agreements between them and their clients.

It is completely unrealistic to expect agents to give away this dearly-bought data for free to brokerages who plan to use it in to unscrupulously compete by advertising "discount plans" that are in fact "reduced service" plans. The MLS only exists because of a cooperative agreement among brokers and agents; mutual reciprocation and mutual respect is essential for that system to continue.

I believe the Dept. of Justice has grossly misunderstood the nature of the MLS and the real estate industry's competitiveness. I urge that their position be reconsidered. Thanks for listening.

Regards,

Jim Hocker, ABR, GRI, REALTOR

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Referrals of Sellers or Buyers are always appreciated!